

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :
 : 19 Civ. 9439 (PKC)
Plaintiff, :
 : **ECF Case**
-against- :
 : **Electronically Filed**
TELEGRAM GROUP INC. and TON ISSUER :
INC., :
 :
 :
Defendants. :
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DECLARATION OF ALEXANDER C. DRYLEWSKI

I, Alexander C. Drylewski, declare under penalty of perjury that the following is true and correct:

1. I am a member of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for the Defendants in the above captioned action. I am an attorney duly admitted to practice before this Court.

2. I respectfully submit this declaration in support of the Defendants' Motion for Summary Judgment and to transmit true and correct copies of the following documents:

Exhibit 1: An August 21, 2014 article titled "VKontakte's Founder Pavel Durov the Most Promising Northern European Leader Under the Age of 30, DealDash's William Wolfram Fourth" published by the Nordic Business Forum. This document is publicly available at: <https://www.nbforum.com/newsroom/news/vkontaktes-founder-pavel-durov-the-most-promising-northern-european-leader-under-the-age-of-30-dealdashes-william-wolfram-fourth/>.

Exhibit 2: Excerpts of the deposition transcript of Pavel Durov, taken by Plaintiff in this litigation between January 7 and 8, 2020.

Exhibit 3: The January 6, 2020, public notice obtained from Defendants' website. This document is publicly available at: <https://telegram.org/blog/ton-gram-notice>.

- Exhibit 4: Defendants' Responses and Objections to Plaintiff's First Set of Interrogatories, which were served on Plaintiff on November 22, 2019.
- Exhibit 5: Defendants' Second Supplemental Responses and Objections to Plaintiff's First Set of Interrogatories, which were served on Plaintiff on January 11, 2020.
- Exhibit 6: The Money Services Business Registration Form filed by TON Issuer Inc with the United States Department of Treasury's Financial Crimes Enforcement Network on August 30, 2019.
- Exhibit 7: Excerpts of the deposition transcript of Shyam Parekh, taken by Plaintiff in this litigation on December 10, 2019.
- Exhibit 8: Excerpts of the deposition transcript of Ilya Perekopsky, taken by Plaintiff in this litigation on December 16, 2019.
- Exhibit 9: Consent Agreements distributed to initial purchasers in the Offering to extend the Deadline Date from October 31, 2019 to April 30, 2020, which was produced by Defendants in this litigation with a starting Bates stamp of TLGRM-005-00005506 and TLGRM-005-00005586.
- Exhibit 10: Defendants' Supplemental Responses and Objections to Plaintiff's First Set of Interrogatories, which were served on Plaintiff on January 2, 2020.
- Exhibit 11: Rep Letter Questionnaires distributed to initial purchasers in Round Two of the Offering.
- Exhibit 12: A January 22, 2018 email from [REDACTED], which was produced by Plaintiff in this litigation with the starting Bates stamp of BENCHMARK_TELEGRAM_001901.
- Exhibit 13: An October 2, 2019 email from Shyam Parekh to initial purchasers in the Offering, which was produced by Defendants in this litigation with a starting Bates stamp of TLGRM-005-00005294.
- Exhibit 14: Blog posts laying out the details of the first and second rounds of TON Contests. These documents are publicly available at: <https://t.me/contest/139> and <https://t.me/contest/102>.
- Exhibit 15: The current statistics from the second round of TON Contests. This document is available publicly at: <https://contest.com/blockchain-2>.

- Exhibit 16: Excerpts of Pavel Durov's Twitter profile, which were produced by Plaintiff in this litigation with a starting Bates stamp of SEC-SEC-E-0002261.
- Exhibit 17: A January 6, 2020 Twitter message published by Telegram Messenger regarding Telegram's January 6, 2020 public notice. This message is publicly available at: <https://twitter.com/telegram/status/1214144878071943168>
- Exhibit 18: A January 6, 2020 article titled "Telegram says TON Wallet won't integrate with its message app at launch." This document is publicly available at: <https://www.theblockcrypto.com/post/52128/telegram-says-ton-wallet-wont-integrate-with-its-messaging-app-at-launch>.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on: New York, New York
January 14, 2020



Alexander C. Drylewski